IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

-

WRIT PETITION NO : 15369 of 2002

Between:

B.Somaiah, s/o.Yadagiri, r/o.Bommakal village,

Torrur mandal, Warangal dist. ..... PETITIONER

AND

1)The District Collector, Warangal district, Warangal.

2)The Revenue Divisional Officer, Mahaboobabad revenue divn.,

Mahboobabad, Warangal dist.

3)The Chief Executive Officer, Zilla Parishad, Warangal.

4)The District Level Committee, rep. by its Convenor,

District Panchayat Officer, Warangal dist., Warangal.

5)R.Anil Reddy, s/o.Sudhakar Reddy, r/o.Madipally village,

Thorrur mandal, Warangal district.

6)Y.Malla Reddy, s/o.Venkatrama Narasaiah,

r/o.Narasimhulupeta village & mandal, Mahaboobabad,

Warangal district.

7)Kashi Reddy Somanarasimha Reddy, s/o.Ranga Reddy,

r/o.Bommakal, Thorrur mandal, Warangal dist.

8)Raghavender Reddy, s/o.Dharma Reddy,

r/o.Karkala, Thorrur mandal, Warangal dist.

9)M.Venkat Reddy, s/o.Narsi Reddy, r/o.Kummarikunta,

Narasimhulupeta mandal, Warangal dist.

10)P.Laxman, s/o.Yadigiri, r/o.Peddamupparam,

Narasimhulupeta mandal, Warangal district.

11)C.Bapu Reddy, s/o.Ramachandra Reddy,

r/o.Thorrur village & mandal, Warangal dist. **.....RESPONDENTS**

Respondents 5 and 6 are impleaded as per court order in W.P.M.P.No.22978 of 2002, dated 8.10.2002.

Respondents 7 to 10 are impleaded as per court order in W.P.M.P. No.20658 of 2002, dated 8.10.2002.

Respondent No.11 is impleaded as per court order in W.P.M.P. No.22668 of 2002, dated 8.10.2002.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly in the nature of writ of Mandamus declaring the inaction on the part of the respondents in taking appropriate action to cancel all the quarry leases in Mahaboobabad revenue division to protect the ground water tables as illegal and unconstitutional and consequently direct the respondent to issue appropriate notification for canceling the sand quarrying leases in Mahaboobabad revenue division of warangal district while denotifying the Mahaboobabad revenue division of Warangal district for sand quarrying.

Counsel for the Petitioner: MR.K.S.MURTHY, Advocate.

Counsel for the Respondent Nos.1 to 4: ADVOCATE GENERAL

Counsel for respondents 5 to 10: Smt.N.Shoba.

Counsel for respondent no.11: Sri K.Raghuveer Reddy.

The Court made the following :

O R D E R :

The learned counsel for the respondents 1 to 4 says that the period of lease itself has come to an end for which the grievance was made by the petitioner for cancelling the same. While leaving the question raised by the petitioner in this petition open to be decided in an appropriate petition subsequently, this Writ Petition is dismissed as having been rendered infructuous.

08.07.2004

Copy to:

1)The District Collector, Warangal district, Warangal.

2)The Revenue Divisional Officer, Mahaboobabad revenue divn.,

Mahboobabad, Warangal dist.

3)The Chief Executive Officer, Zilla Parishad, Warangal.

4)The Convenor, District Level Committee, rep. by its Convenor,

District Panchayat Officer, Warangal dist., Warangal.

5)Two CCS to the Advocate General, High Court Buildings, High Court of A.P., Hyderabad (o.u.t.).

6)Two CD copies.

TVR/DRK